

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,  
MARISSA BLAIR, APRIL MUÑIZ, MARCUS  
MARTIN, NATALIE ROMERO, CHELSEA  
ALVARADO, JOHN DOE, and THOMAS  
BAKER,

Plaintiffs,

v.

JASON KESSLER, et al.,

Defendants.

**Civil Action No. 3:17-cv-00072-NKM**

**ORDER GRANTING MOTION FOR INDICATIVE RULING**

THIS CAUSE having come before this Court upon Plaintiffs' Motion for Indicative Ruling (ECF No. 1670), the Court has reviewed that motion, and after careful consideration, and noting Defense counsel have consented to the filing of the motion, *id.* at 1 n. 1, it will be and is hereby **ORDERED** that:

1. The Motion for Indicative Ruling is **GRANTED**.
2. If the Court of Appeals remanded for this limited purpose, the Court will enter an order clarifying that the Court's judgment (ECF No. 1631) entered on January 9, 2023, **DISMISSED** Counts I and II against all Defendants.

It is so **ORDERED**.

The Clerk of Court is directed to send a certified copy of this Order to the parties.

Date: June 26, 2023.

  
\_\_\_\_\_  
NORMAN K. MOON  
SENIOR UNITED STATES DISTRICT JUDGE